

AMENDED IN ASSEMBLY APRIL 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 714

Introduced by Assembly Member Wieckowski

February 21, 2013

An act to add Section 104338.5 to the Health and Safety Code, and to add Section 1463.29 to the Penal Code, relating to traffic offenses relating to the Roman Reed Spinal Cord Injury Research Fund.

LEGISLATIVE COUNSEL'S DIGEST

AB 714, as amended, Wieckowski. ~~Traffic offenses: additional penalty: spinal cord injury research. Roman Reed Spinal Cord Injury Research Fund.~~

Existing law, the Roman Reed Spinal Cord Injury Research Act of 1999, authorizes the University of California to establish a spinal cord injury research fund, independent of the State Treasury, to accept public and private funds for purposes of spinal cord injury research, as specified.

This bill would appropriate \$2,000,000 from the General Fund to the spinal cord injury research fund authorized by the act.

~~Existing law requires that all fines and forfeitures imposed and collected for crimes other than parking offenses resulting from a filing in a court be deposited with the county treasurer, to be distributed monthly, as required by law. Existing law authorizes the University of California to establish a spinal cord injury research fund, independent of the State Treasury, to accept public and private funds for spinal cord injury research programs and grants.~~

~~This bill would impose an additional penalty of \$1 to be imposed upon every conviction for a violation of state or local traffic laws, except~~

~~for offenses relating to parking. The bill would require the penalty to be deposited with the county treasurer who would, on a semiannual basis, transfer the moneys to the State Treasury for deposit into the Roman Reed Spinal Cord Injury Penalty Fund, which the bill would establish. Because the bill would require the county treasurer to perform additional duties, this bill would impose a state-mandated local program. The bill would also provide that, prior to the transfer of funds to the State Treasury, the county treasurer is required to withhold a sufficient amount necessary to reimburse the county and the courts for their actual, reasonable, and necessary costs associated with administering these provisions. If those amounts are withheld, the bill would authorize the county to send an accounting report detailing its costs to the Regents of the University of California.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~^{yes}. Fiscal committee: yes. State-mandated local program: ~~yes~~^{no}.

The people of the State of California do enact as follows:

1 ~~SECTION 1. There is hereby appropriated from the General~~
 2 ~~Fund to the spinal cord injury research fund authorized by the~~
 3 ~~Roman Reed Spinal Cord Injury Research Act of 1999 the amount~~
 4 ~~of two million dollars (\$2,000,000).~~

5 ~~SECTION 1. Section 104338.5 is added to the Health and~~
 6 ~~Safety Code, to read:~~

7 ~~104338.5. The Roman Reed Spinal Cord Injury Research~~
 8 ~~Penalty Fund is hereby established in the State Treasury to receive~~
 9 ~~moneys pursuant to subdivision (b) of Section 1463.29 of the Penal~~
 10 ~~Code. Moneys in the fund shall, upon appropriation by the~~
 11 ~~Legislature, be expended by the Regents of the University of~~
 12 ~~California for the purposes of implementing this chapter.~~

13 ~~SEC. 2. Section 1463.29 is added to the Penal Code, to read:~~

14 ~~1463.29. (a) Subject to subdivision (b), an additional penalty~~
 15 ~~in an amount equal to one dollar (\$1) shall be imposed upon every~~
 16 ~~conviction for a violation of any provision of Division 11~~
 17 ~~(commencing with Section 21000) of the Vehicle Code, or a~~

1 violation of any local ordinance adopted pursuant to the Vehicle
2 Code, except offenses relating to parking as defined in subdivision
3 (i) of Section 1463.

4 (b) Penalties imposed and collected pursuant to this section shall
5 be deposited with the county treasurer who shall transfer the
6 moneys on March 15 and October 15 of each year to the State
7 Treasury for deposit in the Roman Reed Spinal Cord Injury
8 Research Penalty Fund established pursuant to Section 104338.5
9 of the Health and Safety Code. Prior to the transfer of funds to the
10 State Treasury, the county treasurer shall withhold a sufficient
11 amount necessary to reimburse the county and the courts for their
12 actual, reasonable, and necessary costs associated with
13 administering this section. To the extent moneys are withheld by
14 the county treasurer, an accounting report detailing these costs
15 may be sent by the county to the Regents of the University of
16 California.

17 SEC. 3. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 a local agency or school district has the authority to levy service
20 charges, fees, or assessments sufficient to pay for the program or
21 level of service mandated by this act, within the meaning of Section
22 17556 of the Government Code.